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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION13
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17 KAYTHAN CAPITAL LLC,) Case No.: 11-CV-02083-LHK
18 v. Plaintiff,) ORDER ADOPTING REPORT AND
19 MARIA GOMEZ, ET AL.,) RECOMMENDATION AND
20 Defendants.) REMANDING ACTION TO SANTA
21 CLARA COUNTY SUPERIOR COURT
2223 On May 24, 2011, the Honorable Magistrate Judge Howard R. Lloyd made a report and
24 recommendation to summarily remand this case to the Santa Clara County Superior Court for lack
25 of subject matter jurisdiction. *See* May 24, 2011 Report and Recommendation [dkt. #4]. The
26 Report and Recommendation noted that the removing party, Defendant Gomez, is a “local
27 Defendant” and thus does not have the right to remove the action to federal court based on
28 diversity jurisdiction under 8 U.S.C. § 1441(b). *See id.* at 2.29 This matter was transferred to the undersigned on May 26, 2011. No objections have been
30 filed, and the time to file objections has expired. Having reviewed the Report and
31 Recommendation, as well as the record in this case, the Court finds that the Report and
32 Recommendation is well-founded in fact and in law. Therefore, the Report and
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1 Recommendation is adopted in its entirety. This action is REMANDED to the Santa Clara County
2 Superior Court.

3 **IT IS SO ORDERED.**

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5 Dated: June 29, 2011
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LUCY H. KOH
United States District Judge